

Remarks

Upon entry of the foregoing amendment, claims 1-4, and 6-11 are pending in the application, with claims 1 and 8 being the independent claims. Claims 1 and 6 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested. Based on the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1-3 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,512,801 to Ninomiya (hereinafter "Ninomiya") in view of U.S. Patent No. 5,991,612 to Saito (hereinafter "Saito"). Applicant traverses based on the comments below.

Claim 1 has been amended to clarify that the local oscillator (LO) correction circuit adjusts the amplitude level of the output LO signal based on a control signal, *said control signal based on measuring said amplitude level of said output LO signal. (See claim 1, emphasis added)*

The Office Action alleges that FIG. 6 of Saito teaches the LO correction circuit as recited in Applicant's claim 1. Specifically, the Office Action identifies the Amplitude Level Correction Circuit 12 in FIG. 6 of Saito. However, upon careful review, it is clear that the Amplitude Level Correction Circuit 12 of Saito is controlled by the detector 6,

which measures the amplitude of the down-converted intermediate frequency (IF) signal generated by the mixer 4. (See, Saito, Col. 5, lines 19-21, "the amplitude level correction circuit 12 is controlled by an output signal of detector 6..."). Accordingly, in Saito, it is clear that the control signal from detector 6 is determined based on the amplitude of the IF signal (after down-conversion) from the mixer 4, and not *based on measuring said amplitude level of said output LO signal*, as recited Applicant's claim 1.

Accordingly, Saito, does not teach *a LO correction circuit that is configured to adjust an amplitude level of said output LO signal based on a control signal, said control signal based on measuring said amplitude level of said output LO signal*, because the control signal in Saito is based on the amplitude of the down-converted IF signal, and not the amplitude of the local oscillator (LO) signal, as recited in Applicant's claim 1. Ninomiya admittedly does not cure this defect. Therefore, the combination of Ninomiya and Saito does not teach or suggest each and every feature of claim 1, and therefore does not satisfy the requirements of *prima facie obviousness*. (See, MPEP 2143)

Accordingly, Applicant requests that the rejection under 35 § U.S.C. 103(a) be removed and that claim 1 be passed to allowance. Claims 2-4 and 6-7 depend directly or indirectly from claim 1, and therefore are allowable for being dependent on an allowable base claim, in addition to their own patentable features.

Based on the above discussion, Applicant requests that the rejection under 35 U.S.C. § 103 be reconsidered and removed, and that claims 1-4, and 6-7 be passed to allowance.

Allowable Subject Matter

Applicant expresses appreciation for the indication that claims 8-11 are allowed, and that claims 4 and 6-7 are allowable if rewritten in independent form. However, based on the arguments above, Applicant believes that claims 4 and 6-7 are allowable as written, for being dependent on an allowable base claim 1.

Other Matters

In addition to the amendments discussed above, it is noted that claim 1 was also amended so as to re-arrange the location of the *wherein clause*, so as to correct antecedent basis in the claim.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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